

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIFTH APPELLATE DISTRICT**

THE PEOPLE,

Plaintiff and Respondent,

v.

GREGG JORDAN,

Defendant and Appellant.

F077440

(Super. Ct. No. F17901160)

OPINION

THE COURT*

APPEAL from a judgment of the Superior Court of Fresno County. Wayne R. Ellison, Judge. (Retired judge of the Fresno County Sup. Ct. assigned by the Chief Justice pursuant to art. VI, § 6 of the Cal. Const.)

Michele A. Douglass, under appointment by the Court of Appeal, for Defendant and Appellant.

Office of the State Attorney General, Sacramento, California, for Plaintiff and Respondent.

-ooOoo-

* Before Poochigian, Acting P.J., Franson, J. and DeSantos, J.

Appointed counsel for defendant Gregg Jordan asked this court to review the record to determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436.) Defendant was advised of his right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days elapsed and we received no communication from defendant. Finding no arguable error that would result in a disposition more favorable to defendant, we affirm.

We provide the following brief description of the facts and procedural history of the case. (See *People v. Kelly* (2006) 40 Cal.4th 106, 110, 124.)

Defendant and his wife adopted the victim when she was six years old. While the victim was between eight and 13 years old, defendant sexually abused her when his wife was not at home.

On February 24, 2017, defendant was charged with continuous sexual abuse of a child (Pen. Code, § 288.5, subd. (a);¹ count 1), oral copulation of a person under 14 years of age (§ 288a, subd. (c)(1); count 2), sexual penetration of a person under 14 years of age (§ 289, subd. (j); count 3), sexual battery (§ 243.4, subd. (e)(1); count 4), dissuading a witness (§ 136.1, subd. (b)(1); count 5), and disobeying a protective order (§ 273.6, subd. (a); count 6).

On January 11, 2018, defendant pled guilty to count 1 in return for a 12-year lid (the midterm) and dismissal of the remaining counts.

On March 2, 2018, defendant submitted a sentencing memorandum and statement in mitigation, arguing that imposition of the mitigated term of six years was appropriate. The document included a report prepared by a psychiatrist at defense counsel's request.

On March 7, 2018, the trial court sentenced defendant to 12 years in prison, granted custody credits, and imposed various fines and fees.

On May 1, 2018, defendant filed a notice of appeal.

¹ All statutory references are to the Penal Code.

Having undertaken an examination of the entire record, we find no evidence of ineffective assistance of counsel or any other arguable error that would result in a disposition more favorable to defendant.

DISPOSITION

The judgment is affirmed.